



# House of Representatives

General Assembly

**File No. 622**

*January Session, 2013*

Substitute House Bill No. 5421

*House of Representatives, April 24, 2013*

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT EXEMPTING DEATH CERTIFICATES OF MINORS FROM PUBLIC DISCLOSURE FOR A SIX-MONTH PERIOD.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1      Section 1. (NEW) (*Effective October 1, 2013*) The Department of  
2      Public Health and registrars of vital statistics shall restrict access to and  
3      issuance of a certified or uncertified copy of the death certificate of a  
4      minor who was under eighteen years of age at the time of death until  
5      six months after the date of such minor's death to the following eligible  
6      parties: (1) Such minor's spouse, parents, guardians, siblings and  
7      grandparents; (2) the licensed funeral director or embalmer directly  
8      responsible for the disposition of such minor's remains acting on  
9      behalf of the minor's spouse, parents, guardians, siblings or  
10     grandparents; and (3) agents of a state or federal agency as approved  
11     by the department. Any such certified or uncertified copy of the death  
12     certificate shall not be subject to disclosure under the provisions of  
13     chapter 14 of the general statutes during such six-month period. After  
14     such six-month period has elapsed, the provisions of section 7-51a of

15 the general statutes, as amended by this act, shall apply. The  
16 provisions of this section shall not be construed to apply to fetal death  
17 records.

18 Sec. 2. Section 7-51a of the general statutes is repealed and the  
19 following is substituted in lieu thereof (*Effective October 1, 2013*):

20 (a) [Any] Except as provided in section 1 of this act, any person  
21 eighteen years of age or older may purchase certified copies of  
22 marriage and death records, and certified copies of records of births or  
23 fetal deaths which are at least one hundred years old, in the custody of  
24 any registrar of vital statistics. [The] Except as provided in section 1 of  
25 this act, the department may issue uncertified copies of death  
26 certificates for deaths occurring less than one hundred years ago, and  
27 uncertified copies of birth, marriage, death and fetal death certificates  
28 for births, marriages, deaths and fetal deaths that occurred at least one  
29 hundred years ago, to researchers approved by the department  
30 pursuant to section 19a-25, and to state and federal agencies approved  
31 by the department. During all normal business hours, members of  
32 genealogical societies incorporated or authorized by the Secretary of  
33 the State to do business or conduct affairs in this state shall (1) have  
34 full access to all vital records in the custody of any registrar of vital  
35 statistics, including certificates, ledgers, record books, card files,  
36 indexes and database printouts, except for those records containing  
37 Social Security numbers protected pursuant to 42 USC 405 (c)(2)(C),  
38 [and] confidential files on adoptions, gender change, gestational  
39 agreements and paternity and the death certificate of a minor until six  
40 months after the date of such minor's death, protected pursuant to  
41 section 1 of this act, (2) be permitted to make notes from such records,  
42 (3) be permitted to purchase certified copies of such records, and (4) be  
43 permitted to incorporate statistics derived from such records in the  
44 publications of such genealogical societies. For all vital records  
45 containing Social Security numbers that are protected from disclosure  
46 pursuant to federal law, the Social Security numbers contained on such  
47 records shall be redacted from any certified copy of such records  
48 issued to a genealogist by a registrar of vital statistics.

49 (b) For marriage and civil union licenses, the Social Security  
50 numbers of the parties to the marriage or civil union shall be recorded  
51 in the "administrative purposes" section of the marriage or civil union  
52 license and the application for such license. All persons specified on  
53 the license, including the parties to the marriage or civil union,  
54 officiator and local registrar shall have access to the Social Security  
55 numbers specified on the marriage or civil union license and the  
56 application for such license for the purpose of processing the license.  
57 Only the parties to a marriage or civil union, or entities authorized by  
58 state or federal law, may receive a certified copy of a marriage or civil  
59 union license with the Social Security numbers included on the license.  
60 Any other individual, researcher or state or federal agency requesting  
61 a certified or uncertified copy of any marriage or civil union license in  
62 accordance with the provisions of this section shall be provided such  
63 copy with such Social Security numbers removed or redacted, or with  
64 the "administrative purposes" section omitted.

65 (c) For deaths occurring after December 31, 2001, the Social Security  
66 number, occupation, business or industry, race, Hispanic origin if  
67 applicable, and educational level of the deceased person, if known,  
68 shall be recorded in the "administrative purposes" section of the death  
69 certificate. All parties specified on the certificate, including the  
70 informant, licensed funeral director, licensed embalmer, conservator,  
71 surviving spouse, physician and town clerk, shall have access to the  
72 Social Security numbers of the decedent as well as other information  
73 contained in the "administrative purposes" section specified on the  
74 original death certificate for the purpose of processing the certificate.  
75 For any death occurring after July 1, 1997, only the surviving spouse,  
76 next of kin or state and federal agencies authorized by federal law may  
77 receive a certified copy of a death certificate with the decedent's Social  
78 Security number or the complete "administrative purposes" section  
79 included on the certificate. [Any] Except as provided in section 1 of  
80 this act, any researcher requesting a death certificate for a death  
81 occurring after July 1, 1997, may obtain the information included in the  
82 "administrative purposes" section of such certificate, [except that]  
83 provided the decedent's Social Security number shall be redacted.

84 (d) The registrar of vital statistics of any town or city in this state  
85 that has access to an electronic vital records system, as authorized by  
86 the department, may use such system to issue certified copies of birth,  
87 death, fetal death or marriage certificates that are electronically filed in  
88 such system.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2013	New section
Sec. 2	October 1, 2013	7-51a

**Statement of Legislative Commissioners:**

In section 2(a), "Except as provided in section 1 of this act" was added for clarity and the provision regarding access to a death certificate of a minor was reworded to conform with the language of section 1.

**GAE**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

There is no anticipated fiscal impact to the Department of Public Health or municipalities from restricting, with certain exceptions, the release of a minor's death certificate for six months postmortem.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis****sHB 5421*****AN ACT EXEMPTING DEATH CERTIFICATES OF MINORS FROM PUBLIC DISCLOSURE FOR A SIX-MONTH PERIOD.*****SUMMARY:**

This bill, with certain exceptions, prohibits the Department of Public Health (DPH) and registrars of vital statistics from disclosing a minor's death certificate to anyone for a six-month period following his or her death. The exceptions are (1) the minor's spouse, parent, grandparent, guardian, or sibling; (2) the licensed funeral director or embalmer acting on behalf of such relatives and directly responsible for disposing of the minor's remains; and (3) agents of a state or federal agency, as approved by DPH.

The bill specifies that (1) certified and uncertified copies of the certificate are not subject to disclosure under the Freedom of Information Act during this period and (2) it does not apply to fetal death records.

By law, anyone age 18 or older may purchase a certified copy of a death certificate. Uncertified copies are available to approved (1) researchers, (2) genealogical societies, and (3) state and federal agencies.

EFFECTIVE DATE: October 1, 2013

**BACKGROUND*****Related Bill***

sHB 5733, reported favorably by the Public Health Committee, limits the publicly available information contained on a death certificate.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 0 (04/05/2013)